

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

CHARLES SEWARD, Individually,)
and on Behalf of All Others)
Similarly Situated,)

Plaintiff,)

v.) **Case No. 08 CV 3976**

INTERNATIONAL BUSINESS) **KMK/MDF**
MACHINES, CORP., d/b/a IBM)
CORP.,) **ECF CASE**

Defendant.)

**PLAINTIFF'S NOTICE OF FILING CONSENT(S) TO JOIN
PURSUANT TO [29 U.S.C. §§207, 211(c), 216(b)]**

NOW COMES the Plaintiff, Charles Seward, individually and on behalf of all others similarly situated, (hereafter referred to as “Plaintiff”) by and through their attorney, Erik H. Langeland, and hereby submit the following Consent(s) to Join pursuant to 29 U.S.C. §216(b), copies of which are attached and identified as follows:

1. Cathy Barday
2. Eugene Scott

Erik H. Langeland, P.C.
Attorneys for Plaintiffs

DATED: May 1, 2008

/s/ Erik H. Langeland
Erik H. Langeland (EL-7512)
500 Fifth Avenue, Suite 1610
New York, NY 10110
(212) 354-6270
elangeland@langelandlaw.com

OPT-IN CONSENT FORM

Seward et al vs. International Business Machines

Complete and Mail To:

Erik H. Langeland, P.C.

Attn: International Business Machines Class Action

500 Fifth Avenue, Suite 1610

New York, NY 10110

(212) 354-6270

(212) 898-9086 (Fax)

CONSENT TO JOIN COLLECTIVE ACTION

Pursuant to Fair Labor Standards Act

29 U.S.C. §216(b)

1. I, Cathy Barday, consent and agree to pursue my claims arising out of unpaid overtime work as a call center employee at International Business Machines (d/b/a IBM) in connection with the above referenced lawsuit.
2. I have worked in the position of call center employee at IBM from on or about 01/97 (month, year) to on or about 12/07 (month, year).
3. During the above time period, I worked in excess of forty (40) hours per week, but was not paid overtime compensation.
4. I understand that this lawsuit is brought under the Fair Labor Standards Act of 1938, as amended, 29 U.S.C. §201 et. seq. I hereby consent, agree and opt-in to become a Plaintiff herein and be bound to any judgment by the Court or any settlement of this action.
5. I hereby designate the law firm of ERIK H. LANGELAND, P.C. ("Plaintiffs' Counsel"), to represent me for all purposes of this action.
6. I also designate the Class Representatives as my agents to make decisions on my behalf concerning the litigation, the method and manner of conducting this litigation, the entering of an agreement with Plaintiffs' Counsel concerning attorneys' fees and costs, and all other matters pertaining to this lawsuit.

(Date Signed) 10/17/07

(Signature)

Cathy S. Barday

(Print Name)

Cathy S. BARDAY

****NOTE**** Statute of Limitations concerns mandate that you return this form as soon as possible to preserve your rights. (See "Notice of Proposed Class Action Lawsuit" for time deadlines).

Complete and Mail To:

Erik H. Langeland, P.C.

Attn: International Business Machines Class Action

500 Fifth Avenue

Suite 1610

New York, NY 10110

(212) 354-6270

(212) 898-9086 (Fax)

CONSENT TO JOIN COLLECTIVE ACTION

Pursuant to Fair Labor Standards Act

29 U.S.C. §216(b)

1. I EUGENE SCOTT consent and agree to pursue my claims arising out of unpaid overtime work as a call center employee at International Business Machines (d/b/a IBM) in connection with the above referenced lawsuit.
2. I have worked in the position of call center employee at IBM from on or about 3-98 (month, year) to on or about 8-2007 (month, year).
3. During the above time period, I worked in excess of forty (40) hours per week, but was not paid overtime compensation.
4. I understand that this lawsuit is brought under the Fair Labor Standards Act of 1938, as amended, 29 U.S.C. §201 et. seq. I hereby consent, agree and opt-in to become a Plaintiff herein and be bound to any judgment by the Court or any settlement of this action.
5. I hereby designate the law firm of ERIK H. LANGELAND, P.C. ("Plaintiffs' Counsel"), to represent me for all purposes of this action.
6. I also designate the Class Representatives as my agents to make decisions on my behalf concerning the litigation, the method and manner of conducting this litigation, the entering of an agreement with Plaintiffs' Counsel concerning attorneys' fees and costs, and all other matters pertaining to this lawsuit.

(Date Signed) 4-20-2008

(Signature) Eugene b Scott

(Print Name)

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